

Application No.: 09/704904

Docket No.: CXT-054

REMARKS**Administrative Overview**

Claims 1-29 were presented for examination. Claims 10, 11, 20, and 21 were rejected as reciting non-statutory subject matter. Claims 1-5, 9-17 and 20-27 were rejected as unpatentable over US Patent No. 6,094,662 to Hawes ("Hawes"). Claims 6-8, 18, 19, 28, and 29 were rejected as unpatentable over US Patent No. 6,112,242 to Jois et al. ("Jois"). Applicants hereby amend claims 1, 3-5, 12-13, 15-19, 22, and 24-29. Applicant hereby cancels, without prejudice to further pursuit of the cancelled subject matter in a subsequent application, claims 2, 10, 11, 20, and 21. Support for the claim amendments may be found throughout the specification and, at least, at page 18, lines 9-14. Applicants respectfully submit that no new matter is added by the claim amendments.

Applicants note with appreciation the Examiner's consideration of the Information Disclosure Statements submitted on March 7, 2001, August 23, 2001, February 14, 2002, June 4, 2003, and January 20, 2004.

Upon entry of the present amendment, claims 1, 3-9, 12-19, and 22-29 are presented for examination. Applicants respectfully submit that the claims, as amended, are patentable when compared with the prior art of record and request that the Examiner reconsider and withdraw all claim rejections.

Objections to the Abstract

The examiner objected to the Abstract for exceeding 150 words. Applicants submit herewith a new Abstract that is shorter than 150 words.

Rejection of claims 26, 27 and 29 Under 35 U.S.C. 112

Claims 26, 27, and 29 were rejected as indefinite. Applicants submit that this rejection is overcome by the claim amendments made in this paper.

Rejection of claims 3-5, 15-17, and 25-27 Under 35 U.S.C. 112

Claims 26, 27, and 29 were rejected as indefinite. Applicants submit that this rejection is overcome by the claim amendments made in this paper.

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Rejection of claims 10, 11, 20, and 21 Under 35 U.S.C. 112

Claims 10, 11, 20, and 21 were rejected as indefinite. Applicants hereby cancel, without prejudice, claims 10, 11, 20, and 21, mooted this rejection with respect to those claims.

Rejection of claims 10, 11, 20, and 21 Under 35 U.S.C. 101

Claims 10, 11, 20, and 21 were rejected as directed to non-statutory subject matter. Applicants hereby cancel, without prejudice, claims 10, 11, 20, and 21, mooted this rejection with respect to those claims.

Rejection of claims 1-5, 9-17, and 20-27 Under 35 U.S.C. 102(e)

Claims 1-5, 9-17, and 20-27 were rejected as anticipated by Hawes. For a rejection to be proper under 35 USC 102(e), the cited reference must teach each and every limitation of the rejected claim.

Independent claim 1, from which claims 3-9 depend, and independent claim 12, from which claims 13-19 depend, are hereby amended to recite that an executable code fragment associated with a portion of received page generation code is executed to produce a modified version of a portion of the page generated by the page generation code. The modified version is transmitted to a client, together with an identifier specifying which portion of the generated page should be replaced with the modified version of the portion of the page.

Similarly, independent claim 22, from which claims 23-29 depend, has been amended to recite a server transceiver that transmits to a client a modified version of a portion of a generated page together with an identifier specifying a previous portion of the page to replace with the modified portion.

Hawes fails to teach, or suggest, transmission of an identifier with a modified version of the generated page where the identifier specifies a previous portion of a generated page to replace with the modified portion of a page. Hawes merely teaches a system and method for caching graphics portions of an HTML page to reduce download time and, therefore, allow an HTML page to be refreshed faster. Hawes teaches that a time stamp on the web server is compared to a time stamp kept by the client to determine if the HTML page has been updated. If the version of the HTML page on the web server is more recent, then the entire HTML page, except for the cached bitmap images, is downloaded to the client. Because Hawes teaches that the entire HTML page is downloaded, Hawes neither teaches nor suggests that an identifier

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should be transmitted to the client to specify to the client which portion of a page should be replaced with an updated portion.

Since Hawes does not teach, or suggest, transmission to a client of an identifier to specify to the client which portion of a page should be replaced with an updated portion, Applicants respectfully submit that the rejection of claims 1-5, 9-17, and 20-27 as anticipated by Hawes is overcome and should be withdrawn.

Rejection of claims 6-8, 18, 19, 28, 29 Under 35 U.S.C. 103(a)

Claims 6-8, 18, 19, 28, and 29 were rejected as unpatentable over Hawes in view of Jois. A *prima facie* case of obviousness under 35 USC 103(a) requires that the combination of references teach or suggest each and every limitation of the rejected claim.

Claims 6-8 depend from independent claim 1 and claims 18 and 19 depend from independent claim 12, both of which now recite that an executable code fragment associated with a portion of received page generation code is executed to produce a modified version of a portion of the page generated by the page generation code. The modified version is transmitted to a client, together with an identifier specifying which portion of the generated page should be replaced with the modified version of the portion of the page.

Similarly, claims 28-29 depend from independent claim 22, which has been amended to recite a server transceiver that transmits to a client a modified version of a portion of a generated page together with an identifier specifying a previous portion of the page to replace with the modified portion.

The arguments made above with respect to Hawes' failure to teach or suggest transmission of an identifier with a modified version of the generated page, where the identifier specifies a previous portion of a generated page to replace with the modified portion of a page, apply with equal force here and are reiterated as if set forth again in full.

Jois also fails to teach or suggest transmission of an identifier with a modified version of the generated page where the identifier specifies a previous portion of a generated page to replace with the modified portion of a page. Jois teaches a system for dynamic data interaction that constructs a composite webpage from one or more subpages identified by subtags in the composite page. Each subpage may contain subprograms producing output that is written to a tag location corresponding to the particular subpage. Because Jois teaches that the composite HTML page includes subtags, which identify the location at which output from a subprogram is

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inserted, Jois neither teaches nor suggests that an identifier should be transmitted to the client to specify to the client which portion of a page should be replaced with an updated portion.

Since neither Jois nor Hawes teach or suggest transmission to a client of an identifier to specify to the client which portion of a page should be replaced with an updated portion, Applicants respectfully submit that the rejection of claims 6-8, 18, 19, 28, and 29 as unpatentable over Hawes in view of Jois is overcome and should be withdrawn.

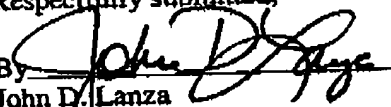
CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicants believe no fee is due with this statement. However, if a fee is due, please charge our Deposit Account No. 12-0080, under Order No. CXT-054 from which the undersigned is authorized to draw.

Dated: July 15, 2004

Respectfully submitted,

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